

Exhibit B

Francis, Mark

From: Alanna Rutherford [ARutherford@BSFLLP.com]
Sent: Monday, October 03, 2011 12:56 PM
To: Kim, Susan
Cc: dalvik-KS; DALVIK-KVN; OracleMoFoServiceList@mofo.com; Oracle-Google
Subject: RE: Oracle v. Google - Meet-and-confer

Susan,

As I stated on the phone, we believe that Oracle has explained to you its position innumerable times, not just via phone but in the various motions that have been filed concerning the Lindholm Documents. We believe that you need look no further than our responses to Google's iterative submissions, including most recently Oracle's response to Google's premature précis request to answer any lingering questions you may have.

Regards,

Alanna Rutherford
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575 Lexington Ave
New York, NY 10022
(212) 446-2300 (main)
(212) 446-2350 (fax)
arutherford@bsfllp.com

From: Kim, Susan [mailto:SKim@kslaw.com]
Sent: Monday, October 03, 2011 12:49 PM
To: Alanna Rutherford
Cc: dalvik-KS; DALVIK-KVN; OracleMoFoServiceList@mofo.com; Oracle-Google
Subject: RE: Oracle v. Google - Meet-and-confer

Alanna,

Thank you for your message.

Please advise whether or not Oracle will provide a statement of what it believes is the need or reason to change the confidentiality designation on the Lindholm documents given the status of this matter and the pending issues relating to these documents, as requested in my message of Thursday evening.

Thanks,
Susan

From: Alanna Rutherford [mailto:ARutherford@BSFLLP.com]
Sent: Friday, September 30, 2011 8:33 PM
To: Kim, Susan
Subject: Re: Oracle v. Google - Meet-and-confer

Yes, we still challenge.

Alanna C. Rutherford
Boies, Schiller & Flexner LLP
575 Lexington Avenue, 7th Floor
New York, NY 10022
(212) 446-2300 (phone)

10/11/2011

(212) 446-2350 (fax)

From: Kim, Susan <SKim@kslaw.com>
To: Alanna Rutherford
Cc: OracleMoFoServiceList@mofo.com <OracleMoFoServiceList@mofo.com>; Oracle-Google; dalvik-KS <dalvik-KS@KSLAW.com>; DALVIK-KVN <DALVIK-KVN@kvn.com>
Sent: Thu Sep 29 17:49:27 2011
Subject: FW: Oracle v. Google - Meet-and-confer

Alanna,

I write as a follow up to our call earlier today, as you requested. Google cannot agree to your proposal regarding the disclosure of the Lindholm documents (GOOGLE-12-100000001 - GOOGLE-12-100000011). As you know, Google has filed objections to Magistrate Judge Ryu's orders finding that the Lindholm documents were not protected by any applicable privilege or immunity. Because Google believes that the documents are privileged, it cannot consent to your proposed dispensation. Please confirm that Oracle still wishes to challenge the AEO designation of the Lindholm documents and if so, identify the litigation need for lifting the confidential status of the Lindholm documents with only a few weeks remaining before the start of trial.

Susan A. Kim
King & Spalding LLP
1185 Avenue of the Americas
New York, New York 10036
Telephone: 212.827.4088
Facsimile: 212.556.2222

From: Alanna Rutherford [mailto:ARutherford@BSFLLP.com]
Sent: Wednesday, September 28, 2011 12:32 PM
To: Francis, Mark
Cc: Rosaline Chan
Subject: RE: Oracle v. Google - Meet-and-confer

Mark,

Per our conversation, please let me know if Google is willing to agree to the following concerning the Lindholm documents (GOOGLE-12-100000001 - GOOGLE-12-100000011):

1. During the pendency of Google's motion for reconsideration of Judge Ryu's order and its motion in limine, Google agrees to give Oracle dispensation to share and discuss the Lindholm documents with Oracle in-house counsel and senior executives involved in the litigation despite the current AEO designation of the Documents.
2. Oracle will not contend that Google's dispensation is in any way a waiver of privilege.
3. Should Google lose its pending motions concerning the Lindholm documents, Google further agrees to dedesignate the Lindholm Documents and remove the recently added "Privileged & Confidential" footer.

Thanks,

Alanna Rutherford
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From: Francis, Mark [mailto:MFrancis@KSLAW.com]
Sent: Wednesday, September 28, 2011 10:37 AM
To: Alanna Rutherford
Cc: Oracle-Google; Oracle MoFo Service List; dalvik-KS; DALVIK-KVN
Subject: Oracle v. Google - Meet-and-confer

Alanna,

Per the Court's Order, Google would like to meet-and-confer today regarding the Lindholm email. Are you available for a call at 12 pm ET/9 am PT?

We can use the following dial-in: 877-699-4799; 212-556-2117#

Thank you,

Mark

Mark H. Francis
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